

County of Los Angeles CHIEF EXECUTIVE OFFICE

713 KENNETH HAHN HALL OF ADMINISTRATION LOS ANGELES, CALIFORNIA 90012 (213) 974-1101 http://ceo.lacounty.gov

> Board of Supervisors GLORIA MOLINA First District

YVONNE B. BURKE Second District

ZEV YAROSLAVSKY Third District

DON KNABE Fourth District

MICHAEL D. ANTONOVICH Fifth District

November 20, 2007

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, California 90012

Dear Supervisors:

APPROVAL TO EXCHANGE REAL PROPERTY WITH ADJACENT PROPERTY OWNER AT FIRE STATION NO. 19 1729 WEST FOOTHILL BOULEVARD, LA CANADA FLINTRIDGE (FIFTH DISTRICT) (4 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD, ACTING AS THE GOVERNING BODY OF THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY:

- 1. Find that the exchange of the real property contemplated by the Purchase and Sale Agreement is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines (class 5 and class 12) and the County of Los Angeles' (County) Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.
- 2. Make a finding that Consolidated Fire Protection District of Los Angeles County (District) real property identified as parcel No. 2-1EX in Exhibit A to the Quitclaim Deed, and depicted in the map marked as Exhibit B (District Property), is not required for District use.
- 3. Make a finding that the real property identified as parcel No. 2-2PP in Exhibit A to the Grant Deed, and depicted in the map marked as Exhibit B (Adjoining Property), is required for District use.

The Honorable Board of Supervisors November 20, 2007 Page 2

- 4. Instruct the Chairman to execute the Purchase and Sale Agreement for the exchange of real property.
- 5. Instruct the Chairman to execute the Quitclaim Deed conveying the District's right, title, and interest in the District Property.
- 6. Authorize and instruct the Chief Executive Office (CEO) to accept the original executed Grant Deed conveying the Adjoining Property to the District and to record the Quitclaim Deed and Grant Deed concurrently.
- 7. Instruct the Auditor-Controller to deposit the amount of \$12,000 representing the value difference between the District Property and the Adjoining Property into the District's Capital Projects ACO Fund (J13).
- 8. Authorize the CEO to execute any other documents necessary to complete the exchange transaction, upon approval by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended exchange of real property with the property owner adjacent to Fire Station No. 19 is to resolve an encroachment problem created by the construction of a block wall and landscaping improvements in an improper location. The placement of the improvements, as determined by a licensed surveyor, created encroachments upon both properties. The proposed exchange of properties will mirror the actual use of the property by both the District and the adjoining owner and avoid the time and expense associated with demolition and reconstruction of existing improvements.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Countywide Strategic Plan directs that we provide the public with services that are beneficial and responsive (Goal 1). The exchange of real property with a private owner to resolve a boundary problem is consistent with that Goal.

FISCAL IMPACT/FINANCING

It has been determined by an appraisal conducted by CEO staff, that the difference in value between the parcels to be exchanged is \$12,000 in favor of the District. These funds will be deposited into the District's Capital Projects ACO Fund (J13).

The Honorable Board of Supervisors November 20, 2007 Page 3

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The District owns a parcel of land located at 1729 West Foothill Boulevard, La Canada, Flintridge, which is improved with Fire Station No. 19. The adjacent property, located at 1739 Foothill Boulevard, is owned by the Kanthi T. De Silva Living Trust, et. al. (Kanthi). A land survey conducted by the Department of Public Works (DPW) has determined that Kanthi is encroaching upon the District's property. The total land area of the encroachment is 427 square feet, legally described in the Quitclaim Deed's Exhibit A as parcel No. 2-1EX. The District is likewise encroaching upon Kanthi's property by 51 square feet. This parcel is also legally described in the Grant Deed's Exhibit A as parcel No. 2-2PP, and both are depicted in the map attached hereto and marked as Exhibit B. It has been determined that the most cost effective way to resolve the encroachment problem is to effect an exchange of parcels to reflect their current use. The Fire Chief concurs with this approach. An appraisal performed by CEO staff has concluded the value difference between the exchange parcels is \$12,000 in favor of the District, and Kanthi has rendered payment in said amount.

The exchange of properties is authorized by the Health and Safety Code Section 13861(b), which allows the District to acquire or dispose of any real property for its benefit.

ENVIRONMENTAL DECLARATION/ENVIRONMENTAL IMPACT REPORT

A preliminary review has determined that the recommended action is categorically exempt under Class 5 (Minor Alterations in Land Use Limitations) and Class 12 (Surplus Government Property Sales) of the CEQA Guidelines and the revised Environmental Document Reporting Procedures and Guidelines adopted by your Board.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no significant negative impact from the transaction as the District Property to be conveyed is not needed for any present or future District purposes.

The Honorable Board of Supervisors November 20, 2007 Page 4

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors, return an executed Purchase and Sale Agreement, executed Quit Claim Deed, two certified copies of the Minute Order, and the adopted, stamped, Board letter to the CEO, Real Estate Division at 222 South Hill Street, 3rd Floor, Los Angeles, CA 90012 for further processing.

Respectfully submitted,

WILLIAM T FUJIOKA Chief Executive Officer

WTF:DL:JSE CB:PT:dd

Attachments (3)

c: County Counsel Auditor-Controller Fire Department

Firestation.No.19.bl

RECORDING REQUESTED BY AND MAIL TO:

Kanthi T. De Silva B. Padmini Joseph 1739 Foothill Boulevard La Canada Flintridge, CA 91011-2950

Document transfer tax is \$) computed on full value of property conveyed, or) computed on full value less value of liens and encumbrances remaining at time of sale COUNTY OF LOS ANGELES

Space Above This Line Reserved for Recorder's Use

Assessor's Identification Number: 5808-006-900 (Portion)

QUITCLAIM DEED

For a valuable consideration, receipt of which is hereby acknowledged, the CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY, a body corporate and politic, does hereby remise, release, and forever quitclaim to KANTHI T. DE SILVA, Trustee of the KANTHI T. DE SILVA LIVING TRUST, dated September 12, 1996, and SELVANAYAGAM HYGINUS BERNARD JOSEPH, and B. PADMINI JOSEPH, Trustees of the JOSEPH FAMILY TRUST, dated January 22, 1997, all its right, title, and interest in and to all that real property in the City of La Canada Flintridge, County of Los Angeles, State of California, described in Exhibit A attached hereto and by this reference made a part hereof, and is depicted on the map attached hereto as Exhibit B and by this reference made a part hereof.

EXCEPTING therefrom all oil, gas, petroleum, and other hydrocarbon substances and minerals but without right of entry to the surface of said land.

By

Dated MOV 20 200/



(COUNTY-SEAL)

ATTEST: SACHI A. HAMAI, Executive Officer of the Board of Supervisors of the County of Los Angeles

CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY,

a body corporate and politic

Chairman, Board of Supervisors of the County of Los Angeles,

as the governing body of the Consolidated Fire

Protection District of Los Angeles County

FIRE STATION 19 (2) Parcel 2-1EX 1729 Foothill Boulevard La Canada Flintridge I.M. 174-217 S.D. 5 M04D152601

KDR:bw/qcdFIRESTN2-1EX 32607

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.)
governing body of all other special a Board so acts adopted a resolution p	pard of Supervisors for the County of Los Angeles and ex officio the assessment and taxing districts, agencies and authorities for which said pursuant to Section 25103 of the Government Code, which authorized the Chairman of the Board on all papers, documents, or instruments
Chairman of the Board of Superviso Consolidated Fire Protection District	ors of the COUNTY OF LOS ANGELES, as the governing body of the ct, was affixed hereto as the official execution of this document. The this date a copy of the document was delivered to the Chairman of the
In witness whereof, I have all above written.	lso hereunto set my hand and affixed my official seal the day and year
(COUNTY-SEAL)	SACHI A. HAMAI, Executive Officer of the Board of Supervisors of the County of Los Angeles By Deputy
APPROVED as to form	
RAYMOND G. FORTNER, JR. County Counsel By Deputy	
APPROVED as to title and execution,	
DEPARTMENT OF PUBLIC WORK Mapping & Property Management Div	
Supervising Title Examiner	

Fire Station 19 Site (2)
1729 FOOTHILL BOULEVARD,
LA CANADA FLINTRIDGE
A.P.N. 5808-006-900
T.G. 535 (A3)
I.M. 174-217
Fifth District
M04D152601

LEGAL DESCRIPTION

PARCEL NO. 2-1EX (Quitclaim of a portion of fee):

That portion of that certain parcel of land in Lot 11 of the Amended Map of the Hillard Tract, as shown on map recorded in Book 43, page 64, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles, described in deed to the County of Los Angeles, recorded in Book 34230, page 232, of Official Records, in the office of said Recorder, within the following described boundaries:

Beginning at the northwesterly corner of said certain parcel of land; thence South 89°44'10" East 17.00 feet along the northerly line of said certain parcel of land; thence South 85°34'14" West 7.46 feet; thence South 0°03'27" West 36.07 feet; thence North 89°44'10" West 7.90 feet; thence South 0°06'58"West 38.75 feet; thence North 89°44'10" West 1.90 feet to the westerly line of said certain parcel of land; thence northerly along said westerly line, a distance of 75.43 feet to the point of beginning.

Containing: 427± square feet.

APPROVED AS TO DESCRIPTION CENTEMBER 22 2003

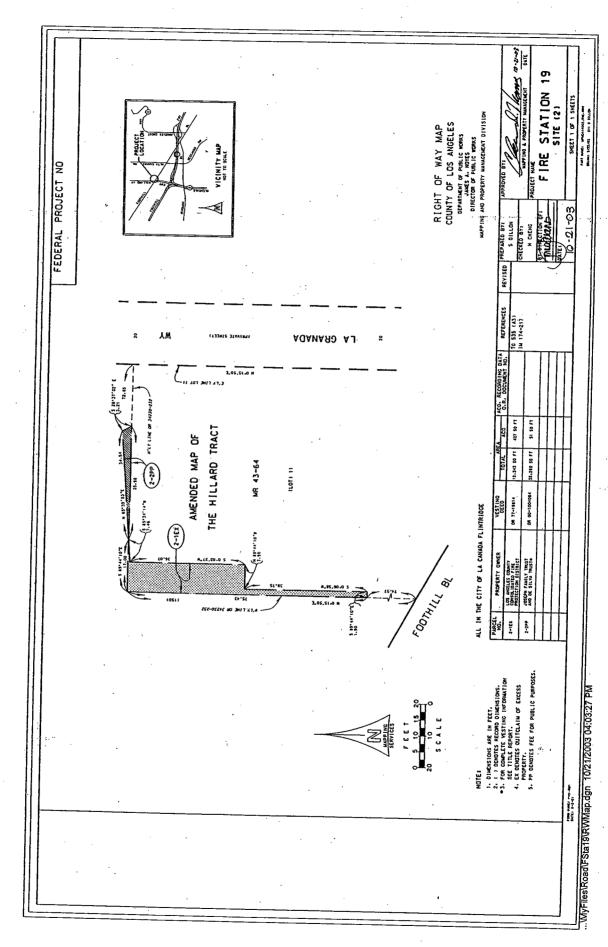
COUNTY OF LOS ANGELES

By / TANNOHWOUNUS

SUPERVISING CADASTRAL ENGINEER II

Mapping and Property Management Division

EXHIBIT A



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the attached Quit Claim document is hereby accepted by Kanthi.

KANTHIT. DE SILVA, TRUSTEE OF THE KANTHIT. DESILVA LIVING TRUST SELVANAYAGAM HYGINUS
BERNARD JOSEPH AND B. PADMINI
JOSEPH, TRUSTEES OF THE JOSEPH
FAMILY LIVING TRUST

sy Kanki T. Ds Silva

Kanthi T. De Silva

B. Padmini Joseph

RECORDING REQUESTED BY AND MAIL TO:

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS P.O. Box 1460

Alhambra, CA 91802-1460

Attn: Mapping & Property
Management Division
R/W Engineering Section

THIS DOCUMENT IS EXEMPT FROM DOCUMENTARY TRANSFER TAX PURSUANT TO SECTION 1922 OF THE REVENUE & TAXATION CODE

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE

Space Above This Line Reserved for Recorder's Use

Assessor's Identification Number: 5808-006-019 (Portion)

GRANT DEED

For a valuable consideration, receipt of which is hereby acknowledged, KANTHI T. DE SILVA, Trustee of the Kanthi T. De Silva Living Trust, dated September 12, 1996, and SELVANAYAGAM HYGINUS BERNARD JOSEPH and B. PADMINI JOSEPH, Trustees of the Joseph Family Trust, dated January 22, 1997, do hereby grant to the CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES, a political subdivision of the State of California, all that real property in the City of La Canada Flintridge, County of Los Angeles, State of California, described in Exhibit "A" attached hereto and by this reference made a part hereof.

Dated	
	By Kanthi T. De Silva, Trustee 8 10-20. Kanthi T. De Silva, Trustee
FIRE STATION 19 (2)	Selyanayagam Hyginus Bernard Joseph, Trustee
Parcel 2-2PP 1729 Foothill Boulevard, La Canada Flintridge I.M. 174-217	la la company
S.D. 5 M04D152601	By Mulful 8.12-04 B. Padputhi Joseph, Trustee

KDR:in:P:Conf:gdFIRESTATION2-2P

NOTE: Acknowledgment on reverse side

·		
	ACKNOWLEDGMENT FORM	
STATE OF CALIFORNIA	REPUBLIC OF SRI LANKA (CEYLON) CITY OF COLOMBO SS. EMBASSY OF THE UNITED STATES OF AMERICA)	
COUNTY OF	ALEXIS L. SMITH	N (B 18)
On	, before me,Vice - Consul (insert name of the officer) United States of America	, Notary Public, (insert title of the officer)
personally appeared <u>SELVANA YAG</u>	AM HYAINUS BERNARD JOSEPH	
(insert name(s) and title(s))		
subscribed to the within instrument and ackle capacity(ies), and that by his/her/their signaterson(s) acted, executed the instrument.	n the basis of satisfactory evidence) to be the person(s) nowledged to me that he/she/they executed the same in hature(s) on the instrument, the person(s), or the entity upon	13/1101/1101/401/101/200
WITNESS my hand and official seal.		•
ALEXIS L. SMITH Vice - Consul United States of America EMBASSY OF THE UNITED STATES OF A	MERÍCA	
Colombo, Sri Lanka	(Seal)	

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ACKNOWLEDGMENT FORM		
STATE OF CALIFORNIA)		
) ss. COUNTY OF LOS ANGELES)	JOHN R. COCHRAN	
On 12 AUGUST, before	NOTARY PUBLIC me, PADMINI JOSEPH + (insert name and title)	
the undersigned, personany appeared	(insert name and title)	
personally known to me (or proved to is/are-subscribed to the within instrubis/her/their authorized capacity(ies); a entity upon behalf of which the person((insert name and title) FSI/A me on the basis of satisfactory evidence) to be the person(s) whose name(s) ment and acknowledged to me that he/she/they executed the same in nd that by his/her/their signature(s) on the instrument the person(s); or the shacted, executed the instrument.	
WITNESS my hand and official:	seal. JOHN R. COCHRAN	
Signature John R C (Name, Typed or Pr		
(Name, Typed or P	rinted) (Seal)	
NOTARIES: ATT	ACH ADDITIONAL OR OTHER FORMS, IF REQUIRED	
	ACKNOWLEDGMENT FORM	
State of California)	(FOR COUNTY USE ONLY)	
) ss. County of Los Angeles)		
On Have 1-2604, before County of Los Angeles, personally ap	me, CONNY B. McCORMACK, Registrar-Recorder/County Clerk of the	
satisfactory evidence) to be the per acknowledged to me that he/she/they	personally known to me (or proved to me on the basis of son(s) whose name(s) is/are subscribed to the within instrument and executed the same in his/her/their authorized capacity(ies), and that by ment the person(s), or the entity on behalf of which the person(s) acted,	
WITNESS my hand and official	seal.	
CONNY B. McCORMACK, Re County Clerk of the County of L		
By	Clerk (Seal)	
APPROVED as to title and execution,	CERTIFICATE OF ACCEPTANCE	
, 20 DEPARTMENT OF PUBLIC WORKS Mapping & Property Management Division MARTIN J. YOUNG	This is to certify that the interest in real property conveyed by the within deed or grant is hereby accepted under the authority conferred by Ordinance No. 95-0052, duly and regularly adopted by the Board of Supervisors of the County of Los Angeles on the 26th day of September 1995, and the Grantee consents to the recordation thereof by its duly authorized officer	
Supervising Title Examiner III	Dated	
By	ByASSISTANT DEPUTY DIRECTOR Mapping & Property Management Division	

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Fire Station 19 Site (2)
1729 FOOTHILL BOULEVARD,
LA CANADA FLINTRIDGE
A.P.N. 5808-006-019
T.G. 535 (A3)
I.M. 174-217
Fifth District
M04D152601

LEGAL DESCRIPTION

PARCEL NO. 2-2PP (Fee for public purposes):

That portion of Lot 11 of the Amended Map of the Hillard Tract, as shown on map recorded in Book 43, page 64, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles, within the following described boundaries:

Beginning at a point on the northerly line of that certain parcel of land described in deed to the County of Los Angeles, recorded in Book 34230, page 232, of Official Records, in the office of said Recorder, said point being distant South 89°44'10" East 17.00 feet, along said northerly line, from the northwesterly corner of said certain parcel of land; thence North 85°35'53" East 34.54 feet; thence South 28°37'02" East 3.21 feet to said northerly line; thence North 89°44'10" West, along said northerly line, a distance of 35.98 feet to the point of beginning.

Containing: 51± square feet.

APPROVED AS TO DESCRIPTION SEPTEMBER 22 2003

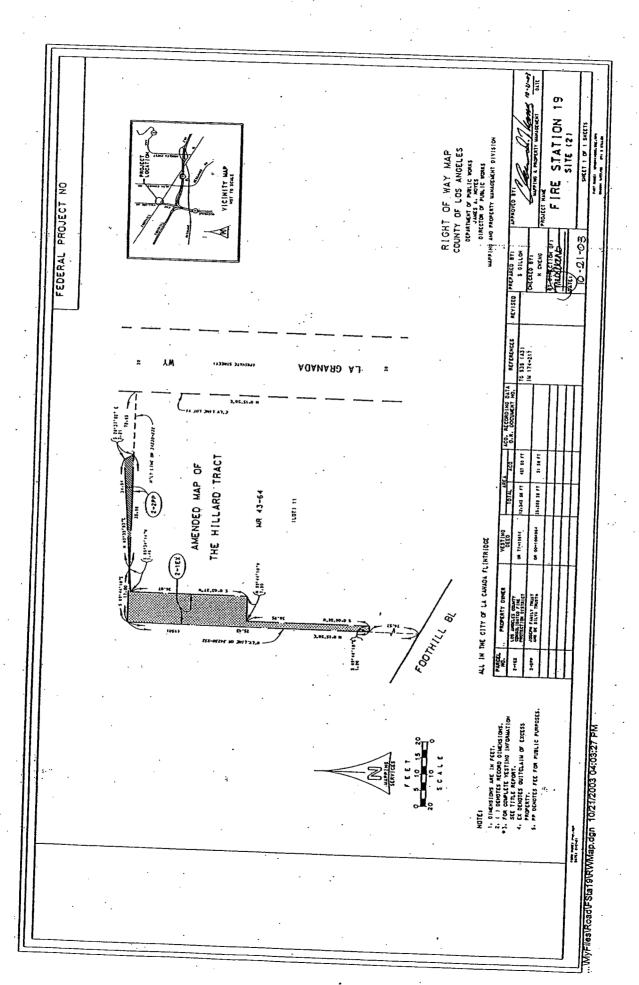
COUNTY OF LOS ANGELES

Βv

SUPERVISING CADASTRAL ENGINEER II

Mapping and Property Management Division

EXHIBIT A



SALE AND EXCHANGE AGREEMENT FOR TRANSFER OF REAL PROPERTY BY AND BETWEEN KANTHI T. DE SILVA LIVING TRUST, ET AL AND THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY

WHEREAS, District is the owner of that certain real property located at 1729 West Foothill Boulevard, La Canada Flintridge, CA ("District Property") and Kanthi is the owner of that certain real property located at 1739 West Foothill Boulevard, La Canada Flintridge ("Kanthi Property"); the parties agree as follows:

- 1. Recitals. It has been determined that a block wall was constructed at some unknown time in the past that encroaches upon both the District Property and the Kanthi Property. Rather than removing the encroachment, the District and Kanthi desire and agree to exchange portions of each of their properties and effect a lot line adjustment in conformance with the location of the block wall. The area on the District Property to be conveyed to Kanthi is legally described as Parcel No. 2-1EX attached hereof. This area is depicted as Parcel No. 2-1EX on the map attached hereto and incorporated herein by this reference and marked as "EXHIBIT B" ("District Parcel"). The area on the Kanthi Property to be conveyed to the District is legally described and referred as Parcel No. 2-2PP and is depicted as Parcel No 2-2PP also noted on the map marked as "EXHIBIT B" ("Kanthi Parcel").
- 1.1 <u>Consideration.</u> The proposed transfer of the District Parcel from the District to Kanthi and the transfer of the Kanthi Parcel from Kanthi to the District would be a mutually beneficial resolution to the encroachment problem caused by the block wall and the least costly resolution to the parties in the transaction considering the cost of razing and rebuilding the wall and replacing the landscaping and irrigation systems and Kanthi and the District agree that the District Parcel has a value of \$12,000.00 in excess of the value of the Kanthi Parcel. The block wall shall be and remain on the Kanthi Parcel and shall be maintained in good condition and repair by Kanthi.
- 1.2 <u>Surplus Property</u>. It has been determined by the Board that the District Parcel is surplus to the District's needs.

IN WITNESS WHEREOF, Kanthi has executed this Agreement or caused it to be duly executed and the District, by order of its Board of Supervisors, has caused this Agreement to be executed on its behalf by the Chairman of said Board and attested by the Executive Director of the Board of Supervisors on the day, month, and year first above written.

KANTHI T. DE SILVA, TRUSTEE OF THE KANTHI T. DESILVA LIVING TRUST SELVANAYAGAM HYGINUS BERNARD JOSEPH AND B. PADMINI JOSEPH, TRUSTEES OF THE JOSEPH FAMILY LIVING TRUST

By Kanthi T. De Silva

B. Padmini Joseph

SELVANAYAGAM HYGLYM BERNARS JOSE

ATTEST:

Sachi A. Hamai

Executive Officer- Clerk of The Board of Supervisors

By Deputy

CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY

Chairman Board of Supervisors

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI Executive Officer Clerk of the Board of Directors

Deputy

ADOPTED BOARD OF SUPERVISORS

#07

NOV 2 0 2007

SACHI A. HAMAI SACHI A. HAMAI EXECUTIVE OFFICER

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

Deputy: Amy Caves

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